STATE OF NEW YORK

11095

IN ASSEMBLY

April 24, 2026

Introduced by M. of A. JACKSON -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to establishing the committee for diversity, inclusion, and equal opportunity, the office of diversity management, and the state workforce diversity and inclusion council to ensure diversity and inclusion at certain state entities and combat harassment and discrimination in the workplace

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The civil service law is amended by adding a new article 11-C to read as follows:

ARTICLE XI-C

DIVERSITY, INCLUSION, AND EQUAL OPPORTUNITY

Section 179. Definitions.

179-a. Committee for diversity, inclusion, and equal opportunity.

179-b. Office of diversity management.

179-c. Comprehensive state diversity and inclusion planning.

179-d. The state workforce diversity and inclusion council.

179-e. Combating harassment and discrimination in state agencies.

§ 179. Definitions. As used in this article:

(a) "Committee" shall mean the committee for diversity, inclusion, and equal opportunity established by this article.

(b) "Office" shall mean the office of diversity management established by this article.

(c) "Protected class discrimination" shall mean employment-related discrimination that is unlawful pursuant to federal laws, rules or regulations and/or state laws, rules or regulations, including but not limited to, Title VII of the Federal Civil Rights Act, the Americans with Disabilities Act, and article fifteen of the executive law.

(d) "State entities" shall mean: (i) any state department, board, bureau, commission, division, office, council or agency over which the governor has executive authority; and (ii) any public benefit corpo-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD15289-01-6

ration, public authority and commission, for which the governor appoints the chair, chief executive, or the majority of board members, except for the port authority of New York and New Jersey.

(e) "State officer or employee" shall have the same meaning as set forth in section seventy-three of the public officers law.

(f) "Workforce council" shall mean the state workforce diversity and inclusion council established by this article.

§ 179-a. Committee for diversity, inclusion, and equal opportunity. (a) The committee for diversity, inclusion, and equal opportunity is hereby established and its membership shall consist of: the chief diversity officer, who shall serve as the chairperson, the president who shall serve as vice-chairperson, the director of budget, the commissioner of the division of human rights, the commissioner of labor, the secretary of state, the director of employee relations, the commissioner of veterans' services, and the commissioner of the office for people with developmental disabilities. Membership of the committee may be amended by the chairperson and vice-chairperson, with the agreement of the current members of the committee. The vice-chairperson shall perform the duties of the chairperson in the chairperson's absence and at such times as the chairperson may direct.

(b) The committee shall advise the governor, the chief diversity officer, the president, and the office in the formulation and coordination of plans, policies, and programs relating to diversity and inclusion in state entities and in assuring effective implementation of such policies, plans, and programs by such entities.

(c) The members of the committee shall be paid the necessary expenses incurred in the discharge of their duties.

§ 179-b. Office of diversity management. (a) The office of diversity management is hereby established within the department.

(b) The heads of the office shall be the chief diversity officer and the president.

(c) State entities and officers and employees thereof shall cooperate with the office and render such assistance to the office as it may request in connection with this article.

(d) Necessary staff may be transferred to the office from any state entity.

§ 179-c. Comprehensive state diversity and inclusion planning. (a) The office shall:

(i) prepare comprehensive statewide objectives for the employment of minorities, women, lesbian, gay, bisexual, and transgender individuals, disabled persons, and veterans, and guidelines for state entities to prepare diversity and inclusion plans, including policies, objectives and implementation strategies. Such objectives and guidelines shall be developed with the advice of the committee and shall be updated as necessary.

(ii) be responsible for monitoring the implementation of diversity and inclusion plans of state entities on a continuing basis, including the need for revising or amending such plans and shall provide annual reports on progress to the governor, incorporating recommendations for improving and strengthening such efforts.

(iii) upon a finding by the office of substantial noncompliance by a state entity with the requirements or terms of this article, notify such entity of such finding and propose a remedial plan of action. The entity shall, within thirty days of the receipt of such notice, accept such remedial plan or submit an alternative remedial plan acceptable to the office. The office may work directly with the entity to develop and

implement the remedial plan until the office is satisfied that the entity will implement the plan in compliance with the provisions of this article.

(iv) prepare annually a report to the governor of the composition of the work force of each state entity by sex and ethnic identity for all job categories, salary grades, and civil service classifications. The office shall also conduct studies to identify and resolve the under-representation and under-utilization of minorities, women, lesbian, gay, bisexual, and transgender individuals, disabled persons, and veterans, and shall include in such report the findings of such studies and any recommendations concerning the adoption or amendment of other laws, rules and regulations for the same purpose.

(b) State entities shall:

(i) develop a written diversity and inclusion plan consistent with the guidelines developed by the office under this article.

(ii) have an employee designated as the entity's diversity and inclusion officer and report such designation to the office. Such diversity and inclusion officer shall report to the entity head and shall have such support staff as may be appropriate to accomplish their duties.

(iii) annually submit a report on diversity and inclusion to the office. Such reports shall be submitted in a format and pursuant to standards issued by the office, and shall include a report on the entity's employment actions with respect to minorities, women, lesbian, gay, bisexual, and transgender individuals, disabled persons, and veterans, and shall identify the entity's achievements, deficiencies, proposed solutions to problems, the need for external assistance, and such other matters as may be appropriate or requested.

§ 179-d. The state workforce diversity and inclusion council. (a) There is hereby established the state workforce diversity and inclusion council. The workforce council shall consist of the diversity and inclusion officers of each state entity. The workforce council shall conduct business pursuant to by-laws adopted by its members which shall be subject to the approval of the chief diversity officer and the president.

(b) The workforce council shall advise the committee and the office on all existing and proposed policies, procedures, practices and programs relating to or affecting affirmative action.

(c) The workforce council shall submit reports of its activities to the committee or the office upon request consistent with such request.

§ 179-e. Combating harassment and discrimination in state agencies. In order to promote the effective, complete and timely investigation of complaints of employment-related protected class discrimination, the office of employee relations shall be responsible for conducting all investigations into employment-related discrimination complaints filed by employees, contractors, interns or other persons engaged in employment at state entities. State entities shall transfer such investigation functions to the office of employee relations and continue to permit such employees as are assigned by the office of employee relations to investigate complaints of protected class discrimination within such entity and shall cooperate fully with any and all investigations.

§ 2. This act shall take effect immediately.